

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the District Department of the Environment Establishment Act of 2005 to authorize that certain funds in the Clean Rivers Impervious Area Charge Assistance Fund be provided to eligible residential DC Water customers for payment of amounts due to DC Water.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “CRIAC Assistance Fund Emergency Declaration Resolution of 2022”.

Sec. 2.(a) Section 113a(c) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.13a(c)), limits the use of funds collected in the Clean Rivers Impervious Area Charge (“CRIAC”) Assistance Fund to implementation of the financial assistance programs authorized by D.C. Official Code § 34-2202.16b—namely, financial assistance programs to help residents and nonprofit organizations pay the CRIAC fee.

(b) On March 11, 2020, the Mayor issued Mayor’s Orders 2020-45 and 2020-46, declaring a public emergency and a public health emergency in the District due to the imminent threat to the health, safety, and welfare of District residents posed by the spread of COVID-19. In the months following the issuance of this order, the Council passed several pieces of

34 emergency legislation to provide certain benefits, and protections to District residents. Those
35 measures included protections for residents struggling to pay amounts owed to the District's
36 water, electric, and gas utilities; in the months following the Mayor's declaration, utilities
37 reported a significant number of customers were in arrears and at risk of their utility service
38 being discontinued. At that time, the Mayor also redirected a portion of amounts collected in the
39 CRIAC Assistance Fund to provide utility bill relief for struggling residents.

40 (c) Although the public health emergency has come to an end, the financial effects of the
41 pandemic continue to impact the ability of low-income residents to pay utility bills, including
42 amounts owed to DC Water. Although the Council prohibited utilities from shutting off
43 customers' service for nonpayment during the public health emergency (and, to note, DC Water
44 took action prior to the Council's passage of emergency legislation, halting service shut-offs for
45 nonpayment for their customers), those protections have since expired. Thus, without financial
46 relief, these low-income residents may will be at risk of discontinuation of their water service.

47 (d) While the year-end fund balance in the CRIAC Assistance Fund is not yet final, we
48 estimate an approximate fund balance of \$1.4 million; those funds were available after the
49 District provided funds to all eligible residential and nonprofit customers who applied for relief
50 under the program.

51 (e) Emergency legislation is necessary to authorize the Mayor to repurpose unused funds
52 in the CRIAC Assistance Fund as of September 1, 2022, so those funds may be used to provide
53 targeted financial relief to low-income residents struggling to pay their water bills.

54 Sec. 3. The Council of the District of Columbia determines that the circumstances
55 enumerated in section 2 constitute emergency circumstances making it necessary that the CRIAC
56 Assistance Fund Emergency Amendment Act of 2022 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.